

2-9-09  
AD

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**JASON GUNN**

**PETITIONER**

**v.**

**No. 1:08CV203-D-D**

**STATE OF MISSISSIPPI, ET AL.**

**DEFENDANTS**

**FINAL JUDGMENT**

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated January 27, 2009, and the February 5, 2009, objections to the Report and Recommendation, the court finds that the petitioner's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated January 27, 2009, is hereby **APPROVED AND ADOPTED** as the opinion of the court.
2. That the instant petition for a writ of *habeas corpus* is hereby **DISMISSED** with prejudice and without evidentiary hearing as untimely filed under 28 U.S.C. § 2244(d).
3. That this case is **CLOSED**.

9<sup>th</sup>

THIS, the 9<sup>th</sup> day of February, 2009.

/s/ Glen H. Davidson  
SENIOR JUDGE